

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE**

**LUCY M. DILLARD,**

**Plaintiff,**

**v.**

**SIGNATURE HEALTHCARE FENTRESS  
COUNTY, a SUBSIDIARY AND ASSUMED  
NAME OF LP JAMESTOWN, LLC,  
AND SIGNATURE HEALTHCARE, LLC,**

**Defendants.**

**Case No. 2:14-cv-00039**

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**DEFENDANTS' MOTION TO DISMISS, OR IN THE ALTERNATIVE,  
TO STAY THE PROCEEDINGS AND COMPEL ARBITRATION**

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Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants LP Jamestown, LLC d/b/a/ Signature HealthCARE of Fentress County, incorrectly identified as “Signature HealthCARE Fentress County, a subsidiary and assumed name of LP Jamestown, LLC,” and Signature HealthCARE, LLC (collectively, “Defendants”), move the Court to enter an Order dismissing this lawsuit because Dillard agreed previously, in writing, to submit all employment claims to final and binding arbitration. Alternatively, pursuant to Section 3 of the Federal Arbitration Act, 9 U.S.C. § 1 et seq. (“FAA”), Defendants move the Court to enter an Order staying these proceedings and compelling Dillard to comply with the promise she made in writing to resolve any claim relating to her employment through final and binding arbitration rather than through the courts. Her lawsuit ignores that promise and does just the opposite. The strong federal and state public policy favoring the resolution of disputes through arbitration – the exact process dictated by the

mandatory alternative dispute resolution process to which the parties here agreed – requires the Court to grant Defendants’ Motion as a matter of law.

In support of this Motion, Defendants rely upon the contemporaneously submitted Memorandum of Law and the Declaration of Kristie Johnson.

s/ C. Hunter Kitchens  
Mark W. Peters (BPR #018422)  
C. Hunter Kitchens (BPR #030493)  
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*Counsel for Defendants*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent by the Court’s ECF system to the following:

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*Attorney for Plaintiff*

on this the 20th day of May, 2014.

s/ C. Hunter Kitchens